

REMARKS

This reply is submitted in response to the Office Action of April 6, 2007. Claims 1-18 are pending. Claims 1, 7 and 13 are amended and Claims 19-20 are added by this response. No new matter is added. The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing.

The Office Action rejected Claims 1, 3-7, 9-13 and 15-18 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,582,323 ("Kurtenbach") in view of U.S. Patent No. 6,604,650 ("Sagar"). The Office Action rejected Claims 2, 8 and 14 under 35 U.S.C. §103(a) as being unpatentable over Kurtenbach in view of Sagar in further view of U.S. Patent No. 6,935,133 ("Keeter"). Applicants respectfully disagree.

Kurtenbach discloses a medication dispensing and monitoring system. The system dispenses medication in accordance with a pre-programmed schedule, alerts the user that the medication is ready and alerts a medical professional, care giver or emergency services if the proper steps to indicate the medication has been taken are not followed. The system also includes a backup power supply. However, the pre-programmed schedule is determined based on a physician's prescribed schedule rather than the patient's usage history. For at least the above reasons, it is respectfully submitted that Kurtenbach does not disclose or suggest determining a normal access pattern based upon at least part of a user's history of accessing a regularly accessed device.

Sagar discloses a bottle cap for medications which reminds patients when to take pills based on an elapsed interval since a previous dosing. However, it is respectfully submitted that Sagar, like Kurtenbach, does not disclose or suggest determining a normal access pattern based upon at least part of a user's history of accessing a regularly accessed device.

Keeter discloses a temperature controlled medical carrying case; however, Keeter does not disclose or suggest any sort of dosing notification or monitoring system. For at least the above reason, it is respectfully submitted that Keeter, like Kurtenbach and Sagar, does not disclose or suggest determining a normal access pattern based upon at least part of a user's history of accessing a regularly accessed device.

For at least the above reasons, it is respectfully submitted that Claim 1 and its dependent claims are each patentably distinguished from Kurtenbach in view of Sagar and from Kurtenbach

in view of Sagar and in further view of Keeter and are in condition for allowance. For similar reasons, it is respectfully submitted that Claims 7 and 13 and their dependent claims are each patentably distinguished from Kurtenbach in view of Sagar and from Kurtenbach in view of Sagar and in further view of Keeter and are in condition for allowance.

With respect to new Claim 19, it is respectfully submitted that none of Kurtenbach, Sagar and Keeter disclose or suggest that a regularly accessed device is selected from the list consisting of a household appliance, a television, a radio, an oven, a toilet, a faucet, a motion-sensing light and a computer. For at least this reason, it is respectfully submitted that Claim 19 is patentably distinguished from Kurtenbach in view of Sagar and in further view of Keeter and is in condition for allowance.

With respect to new Claim 20, it is respectfully submitted that none of Kurtenbach, Sagar and Keeter disclose or suggest that a regularly accessed device is not associated with any medication. For at least this reason, it is respectfully submitted that Claim 20 is patentably distinguished from Kurtenbach in view of Sagar and in further view of Keeter and is in condition for allowance.

An earnest endeavor has been made to place this application in condition for allowance, and such allowance is courteously solicited. If the Examiner has any questions related to this Response, Applicants respectfully request that the Examiner contact the undersigned.

Respectfully submitted,

BELL, BOYD & LLOYD LLP

BY 

MacLane C. Key

Reg. No. 48,250

Customer No. 29180

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